

NORTHERN

DISTRICT OF

NEW YORK

**DEFAULT JUDGMENT
IN A CIVIL CASE**

**UPSTATE NEW YORK ENGINEERS
HEALTH FUND, by Daniel P. Harrigan, as
Administrator; UPSTATE NEW YORK ENGINEERS
PENSION FUND, by Daniel P. Harrigan, as
Administrator; UPSTATE NEW YORK
ENGINEERS S.U.B. FUND, by Daniel P.
Harrigan, as Administrator; UPSTATE NEW
YORK ENGINEERS TRAINING FUND, by
Theron Hogle and Eugene Hallock, as Trustees;
CENTRAL PENSION FUND OF THE
INTERNATIONAL UNION OF OPERATING
ENGINEERS AND PARTICIPATING EMPLOYERS,
by Michael R. Fanning, as Chief Executive Officer;
LOCAL 106 TRAINING AND APPRENTICESHIP
FUND, by Daniel J. McGraw and Eugene Hallock,
as Trustees; UPSTATE NEW YORK OPERATING
ENGINEERS, LOCAL UNION NO. 158, by
Theron Hogle, as President, ,
Plaintiffs,**

vs.

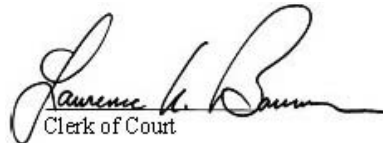
**5:13-CV-1434
(MAD/ATB)**

**WALLACE ABE RANSOM, Individually
and d/b/a Running Deer Corporation;
RUNNING DEER CONSTRUCTION
CANADA CORP.,
Defendants.**

**XX DECISION by COURT. This action came to trial or hearing before the
Court. The issues have been tried and a decision has been rendered.**

IT IS ORDERED AND ADJUDGED that Plaintiffs' motion for entry of default judgment is **GRANTED**; and the Court further **ORDERS** that Plaintiffs are awarded default judgment against Defendants for the sum of \$128,674.54 including \$66,500.76 in unpaid contributions and deductions, \$27,454.77 in interest for the period from November 15, 2011 through May 20, 2014, \$27,069.92 in liquidated damages, and \$7,649.09 in attorneys' fees and costs; prejudgment interest and liquidated damages for the period from May 21, 2014 through today's date at the rates provided for by 29 U.S.C. 1132(g)(2) and the Trusts and Collections Policy; and interest thereon at the rate provided for by 28 U.S.C. § 1961(a); and the Court further **ORDERS** that Defendants are required to produce their books and records for the period from May 2011 to date for Plaintiffs' review and audit, and to pay the cost and expense of such audit, including all attorneys' and paralegal fees and costs incurred in obtaining the audit; and the Court further **ORDERS** that the Court shall retain jurisdiction in this matter until Plaintiffs complete their audit of Defendants' books and records; and the Court further **ORDERS** that within **THIRTY (30) DAYS** of the completion of the audit, Plaintiffs shall move for entry of judgment against Defendants for any and all contributions and deductions that are determined to be due as a result of the audit, plus the applicable interest thereon, liquidated damages, costs and expenses of collection, and attorneys' and paralegal fees associated therewith; and the Court further **ORDERS** that the Clerk of the Court shall enter judgment in Plaintiffs' favor, all in accordance with the Memorandum-Decision and Order of the Honorable Mae A. D'Agostino, U.S. District Judge, signed January 12, 2015.

DATE: January 12, 2015


Clerk of Court



By: s/Britney Norton
Deputy Clerk